

Exhibit D

Roger Eden

CONFIDENTIAL
Washington, DC

April 27, 2006

1

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

-----x Civil Action

SMITH KLINE & FRENCH LABORATORIES, : No. 05-197

LIMITED and SMITHKLINE BEECHAM :

CORPORATION d/b/a GLAXOSMITHKLINE, : THIS DEPOSITION

Plaintiffs, : TRANSCRIPT

vs. : CONTAINS MATERIAL

TEVA PHARMACEUTICALS USA, INC., : THAT IS SUBJECT

Defendant. : TO PROTECTIVE

-----x ORDER

CONFIDENTIAL TRANSCRIPT

Videotaped Deposition of ROGER J. EDEN, a witness
herein, called for examination by counsel for
Defendant in the above-entitled matter, pursuant to
notice, the witness being duly sworn by KAREN YOUNG,
a Notary Public in and for the District of Columbia,
taken at the offices of Wilmer Cutler Pickering Hale
and Dorr LLP, 1455 Pennsylvania Avenue, Northwest,
Washington, D.C., at 9:04 a.m. on April 27, 2006, and
the proceedings being taken down by Stenotype by
KAREN YOUNG, and transcribed under her direction.

ORIGINAL

Henderson Legal Services
(202) 220-4158

Roger Eden

CONFIDENTIAL
Washington, DC

April 27, 2006

42

1 **A. Uh-huh.**

2 Q. And then at the bottom of the first column
3 there, it says Mr. R. Eden for Dr. D. Owen.

4 **A. Yes.**

5 Q. R. Eden is you; is that correct?

6 **A. Yes.**

7 Q. Who is Dr. D. Owen?

8 **A. Dr. David Owen was my supervisor, head of**
9 **department.**

10 Q. He was head of which department at that
11 time?

12 **A. Pharmacology.**

13 Q. Okay. So at that point, according to your
14 C.V., you were the leader of the special
15 pharmacology group?

16 **A. Yes.**

17 Q. And Dr. Owen was your supervisor, and his
18 title was what?

19 **A. I don't know exactly.**

20 Q. But --

21 **A. Director of pharmacology, something like**
22 **that.**

Roger Eden

CONFIDENTIAL
Washington, DC

April 27, 2006

58

1 **A. Smith Kline approached them.**

2 Q. Is there a particular reason that Smith
3 Kline picked those four people?

4 MS. WIGMORE: I'm going to object to the
5 extent you're asking him to testify on behalf of
6 Smith Kline. He can give his own understanding.

7 **A. I wasn't involved with the choice of**
8 **Bradford.**

9 Q. Can you tell me who was involved with the
10 choice of Bradford?

11 **A. Not exactly. I wasn't privy to the**
12 **conversations involved.**

13 Q. Would that be something that someone on
14 the project team decided or is that completely
15 separate?

16 MS. WIGMORE: Objection, calls for
17 speculation.

18 **A. I don't know.**

19 Q. Was there a liaison between these four
20 individuals at Bradford University and Smith Kline
21 generally speaking?

22 **A. Prior to ropinirole?**

Roger Eden

CONFIDENTIAL
Washington, DC

April 27, 2006

60

1 **A. At the start of the liaison.**

2 Q. Okay. Do you know if Dr. Owen selected
3 any of these four individuals to conduct research on
4 ropinirole?

5 **A. I don't know that.**

6 Q. Do you know if Dr. Owen gave them the
7 instructions as to what to research?

8 **A. I wasn't privy to all the conversations
9 and telephone calls.**

10 Q. Did they have many conversations and
11 telephone calls?

12 **A. I don't know.**

13 Q. Were you privy to any of their
14 conversations and telephone calls?

15 **A. I was privy to the first visit.**

16 Q. Okay. When was that first visit?

17 **A. I don't recall.**

18 Q. And just to be clear, that's the first
19 visit between Dr. Owen and these four individuals at
20 Bradford University?

21 **A. At Bradford University, yes.**

22 Q. And you were also there at that meeting.

Roger Eden

CONFIDENTIAL
Washington, DC

April 27, 2006

70

1 recording -- was she instructed to record CNS effect
2 data?

3 A. No, she wasn't.

4 Q. Okay.

5 A. These animals were constrained in a
6 special type of cage, so it would be virtually
7 impossible to make proper observations after dosing
8 them by mouth at naught minutes after dosing.

9 Q. Okay. So if you wanted to see central
10 nervous system effects in these rats, how would you
11 have to have changed that experiment?

12 MS. WIGMORE: I object to the form.

13 A. You wouldn't change it, but it's an oral
14 dose. It doesn't whistle in like intravenous. It's
15 not like an intravenous injection.

16 Q. So by that, do you mean that because it
17 was an oral dose, it might take longer to have an
18 effect?

19 A. There's a delay usually.

20 Q. If I could direct your attention then to
21 another entry in the same laboratory notebook, it
22 starts on the page marked GSK-REQ000383 and appears

Roger Eden

CONFIDENTIAL
Washington, DC

April 27, 2006

71

1 to be an entry dated February 11th, 1986, and again,
2 this is still in Exhibit 24. Are you with me?

3 **A. Uh-huh.**

4 Q. Can you tell me what this experiment --
5 sorry. I'll back up. Does this entry also describe
6 an experiment that was conducted by Annette Wright?

7 **A. Yes.**

8 Q. Can you describe for me what this
9 experiment involved?

10 **A. Again, this is a measurement of blood**
11 **pressure and heart rate in spontaneously**
12 **hypertensive rats.**

13 Q. Okay. There's a notation there that says
14 -- in the first line of the entry that says 2.5
15 milligrams per kilogram IV.

16 **A. Yes.**

17 Q. Does that indicate that the -- that
18 ropinirole was administered to these rats
19 intravenously?

20 **A. Yes.**

21 Q. So then just to make sure that I
22 understand what you said earlier correctly, the

Roger Eden

CONFIDENTIAL
Washington, DC

April 27, 2006

72

1 intravenous dosing should result in a quicker effect
2 on the rats; is that right?

3 **A. I would expect that.**

4 Q. Okay. If you could flip back three pages
5 to the page marked GSK-REQ000386, there's another
6 comment chart there, and one of the comments within
7 the box that corresponds for a time of 15 minutes,
8 there's a comment that says, "All eyes closed, all
9 show classic stereotyped sniffing behavior."

10 **A. Uh-huh.**

11 Q. What do you understand that to mean?

12 **A. I understand it to mean that the animals**
13 **were showing stereotypy.**

14 Q. And so that -- so based on what you said
15 earlier, that would mean that -- or that would be a
16 sign that the ropinirole was crossing the blood-
17 brain boundary and entering the central nervous
18 system of these four rats?

19 **A. Yes.**

20 Q. Now, when you said that it shows CNS
21 effects, is there a particular dopamine receptor
22 that is associated with stereotypy effects?

Roger Eden

CONFIDENTIAL
Washington, DC

April 27, 2006

94

1 experiment, she was looking for cardiovascular
2 effect; is that correct?

3 **A. Yes.**

4 Q. Okay. After -- after Ms. Wright made her
5 findings, was there a point in time where ropinirole
6 became -- began to be considered as a potential
7 treatment for Parkinson's disease?

8 MS. WIGMORE: Objection, lack of
9 foundation. You can answer based on your own
10 understanding.

11 **A. After --**

12 Q. After February of 1986.

13 **A. After that, it was considered.**

14 Q. Okay. Who first -- to your knowledge, who
15 first thought that ropinirole could be used to treat
16 Parkinson's disease?

17 **A. I don't know.**

18 Q. At that point in time, were you part of
19 the ropinirole project team?

20 **A. Yes.**

21 Q. And would that -- would the concept of
22 using ropinirole as a treatment for Parkinson's,

Roger Eden

CONFIDENTIAL
Washington, DC

April 27, 2006

108

1 contract or agreement under which these researchers
2 were operating?

3 MS. WIGMORE: Objection, foundation.

4 **A. I don't know of one.**

5 Q. Do you remember if there was a contract or
6 an agreement discussed or presented at the initial
7 meeting that you attended with the Bradford
8 researchers?

9 **A. I don't remember one.**

10 Q. Did the Bradford researchers -- were they
11 -- strike that. Were the Bradford researchers
12 required to turn over the results of their work to
13 Smith Kline?

14 **A. Yes.**

15 Q. Were they prohibited from publishing
16 information about their research for Smith Kline
17 without Smith Kline's approval?

18 **A. Yes.**

19 Q. And who at Smith Kline, if you know, would
20 have given the approval for such a publication?

21 **A. I don't remember exactly, but I presume**
22 **the development team.**